

REMARKS

REJECTIONS UNDER 35 U.S.C. § 112

Claims 28 and 37 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Final Office action states that Applicant's claim reciting detecting support for "the application not related to voice communications" is not disclosed in the specification. Applicant respectfully submits there is support in the specification for the above-quoted limitation. Page 41 of the specification discusses several examples of applications that are not related to voice communications (e.g. geo-fencing, auto-theft, and long-haul trucking applications). Pages 13-15 of the specification, under the heading, "Urgent System and Method" discuss an example of a process to detect support for the applications not related to voice communications. Thus, Applicant respectfully submits that the specification provides adequate support for detecting support for "the application not related to voice communications," recited claims 28 and 37. Given the support in the specification, Applicant respectfully requests withdrawal of the rejection of claims 28 and 37 under 35 U.S.C. § 112, first paragraph.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 28, 36 and 37

Claims 28, 36 and 37 were rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent No. 5,586,338 issued to Lynch et al. (*Lynch*) in view of U.S. Patent No. 6,405,038 issued to Barber et al. (*Barber*) and further in view of U.S. Patent No. 5,555,286 issued to Tendler (*Tendler*). Applicant submits that claims 28, 36 and 37 are not rendered obvious by *Lynch* in view of *Barber* and *Tendler* for at least the reasons described below.

Claim 28 recites, in part, the following:

determining whether the first SID matches a SID stored in a SID table, the SID in the table distinguishing a cellular service provider that supports an application that is not related to voice communications from cellular service providers that do not support the application;

Claim 37 recites similar limitations.

Lynch is cited as disclosing determining whether the first SID matches a SID store in a SID table. The Final Office action makes no assertion that *Lynch* discloses that the SID in the table distinguishes a cellular service provider that supports an application not related to voice communications from cellular service providers that do not support the application. Applicant respectfully submits *Lynch* does teach this limitation.

Barber discusses selecting a preferred cellular carrier based on a prioritized list of SIDs. See column 2, lines 49-67. However, *Barber* relates only to a traditional voice communication environment. The SIDs discussed in *Barber* merely identify cellular service providers. *Barber* does not teach or disclose an SID in a table that distinguishes a cellular service provider that supports an application not related to voice communications from cellular service providers that do not support the application. Thus, *Barber* fails to cure the deficiencies of *Lynch*.

Tendler is cited as disclosing a method wherein an emergency service is activated by pressing a panic button on the telephone which is then interpreted by the network as a high priority call. Applicant does not claim – nor has Applicant previously claimed – a method wherein a service is activated by pressing a button on the telephone. Whether or not *Tendler* disclose the limitations cited in the Office action, *Tendler* does not teach or disclose an SID in a table that distinguishes a cellular service provider that supports an application not related to voice communications from cellular service providers that do not support the application. Thus, *Tendler* fails to cure the deficiencies of *Lynch* and *Barber*. Thus, the combination of *Lynch*,

the combination of *Lynch, Barber* and *Tender* fail to disclose at least one limitation of claims 28 and 37. Therefore, Applicant respectfully submits claims 28 and 37 are not obvious in view of *Lynch, Barber, and Tendler*.

Claim 36 depends from claim 28. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits claim 26 is not obvious in view of *Lynch, Barber, and Tendler*.

Claims 29, 30, and 38

Claims 29, 30, and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lynch, Barber* and *Tendler* in view U.S. Patent No. 6,311,060 issued to Evans (*Evans*) and further in view of U.S. Patent No. 6,044,265 issued to Roach (*Roach*). Applicant submits that claims 29, 30, and 38 are not rendered obvious by *Lynch, Barber* and *Tendler* in view of *Evans* and further in view of *Roach* for at least the reasons described below.

Evans was cited as disclosing that a control message is referred to as a page and SID is carried in the control channel. *Roach* is cited as disclosing a method of identifying the SID by a NPA. Whether or not *Evans* and *Roach* disclose the limitations cited in the Office action, neither *Evans* nor *Roach* cure the deficiencies of *Lynch, Barber* and *Tendler* in the independent claims, as discussed above. Claims 29 and 30 depend from claim 28. Claim 38 depends from claim 37. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits that claims 29, 30, and 38 are not rendered obvious by *Lynch* and *Barber* in view of *Evans* and further in view of *Roach*.

Claims 31-34 and 39-42

Claims 31-34 and 39-42 were rejected under 35 U.S.C § 103(a) as being unpatentable over *Lynch, Barber* and *Tendler* in view of *Evans* and further in view of U.S. Patent No.

5,159,625 issued to Zicker (*Zicker*). Applicant submits that claims 31-34 and 39-42 are not rendered obvious by *Lynch*, *Barber* and *Tendler* in view of *Evans* and further in view of *Zicker* for at least the reasons set forth below.

Claims 31-34 depend from claim 28. Claims 39-42 depend from claim 37. As discussed above, claims 28 and 37 are not obvious in view of *Lynch*, *Barber*, *Tendler* and *Evans*. *Zicker* is cited as teaching the exchange of data between a host and a remotely programmable cellular mobile radiotelephone. *Zicker* does not cure the deficiencies of *Lynch*, *Barber*, *Tendler* and *Evans*. Therefore, Applicant submits that claims 31-34 and 39-42 are not rendered obvious by view of *Lynch*, *Barber* and *Tendler* in view of *Evans* and further in view of *Zicker*.

CONCLUSION


For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 28-34 and 36-42 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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Date: _____

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